

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**BRENDA BRILEY,**

**Plaintiff,**

**VS.**

**WESTMONT DEVELOPMENT, INC.  
d/b/a WESTMONT HOSPITALITY  
GROUP,**

**Defendant.**

**8:09-cv-00394-LSC-FG3**

## ORDER

This matter is before the magistrate judge for full pretrial supervision, and on the plaintiff's motion for leave to file a Third Amended Complaint (Doc. 13). Pursuant to Fed. R. Civ. P. 15(a) and NECivR 15.1, the court finds that the motion should be granted.

The court further notes that no defendant was served within 120 days after the filing of the complaint as required by Fed. R. Civ. P. 4(m). The plaintiff is hereby given an extension of time until and including **April 13, 2010** in which to effect service of summons and the Third Amended Complaint and file proof thereof, or to file a properly-executed waiver pursuant to Fed. R. Civ. P. 4(d).

Failure to comply with the April 13, 2010 deadline will result in the recommendation that this case be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m).

**IT IS SO ORDERED.**

**DATED March 23, 2010.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**